

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

UNITED STATES OF AMERICA,	:	Case No. 3:08-cr-175
		Also 3:11-cv-299
Petitioner,	:	
- vs -	:	District Judge Thomas M. Rose
	:	Magistrate Judge Michael R. Merz
JEREMY E. LEWIS	:	
	:	
Defendant.	:	

ORDER ADOPTING REPORT AND RECOMMENDATIONS

The Court has reviewed the Report and Recommendations of United States Magistrate Judge Michael R. Merz (Doc. #179), to whom this case was referred pursuant to 28 U.S.C. § 636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) expired January 5, 2013, hereby ADOPTS said Report and Recommendations.

Defendant's Motion entitled "COA Certificate of Appealability Request from the Denial of Defendants Rule 60(b)" is DENIED as barred by the law of the case.

January 15, 2013.

Thomas M. Rose

Thomas M. Rose
United States District Judge